

SBA

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**Reports by Regional,
District, and Branch
Counsel**

**U.S. Small Business
Administration**
Office of General
Counsel

SMALL BUSINESS ADMINISTRATION STANDARD OPERATING PROCEDURE



SUBJECT:

REPORTS BY REGIONAL, DISTRICT, AND
BRANCH COUNSEL

S.O.P.

REV

SECTION

NO.

70

01

1

Introduction

1. Purpose. To prescribe a reporting system for the effective and orderly flow of information to and from various supervisory levels within the Office of General Counsel.
2. Personnel Concerned. All personnel in the Office of General Counsel.
3. Distribution. Standard, plus one to each OGC employee.
4. Originator. General Counsel

AUTHORIZED BY

HERIBERTO HERRERA
DEPUTY ADMINISTRATOR

EFFECTIVE DATE

11-8-83

PAGE

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<p>1. <u>OFFICE OF GENERAL COUNSEL REPORTING REQUIREMENT</u></p> <p>Each level of attorney in the Office of General Counsel shall enter information in the reporting system prescribed for the effective and orderly flow of information to counsel and program managers at the various levels of supervision.</p> <p>2. <u>OBJECTIVE</u></p> <p>The significant report objectives are:</p> <ul style="list-style-type: none"> a. To provide counsel and program managers at the various supervisory levels with the information needed for informed decision-making and effective resource management. b. To place responsibility for action at the proper level of supervision. c. To provide for a more effective way of identifying, solving, and preventing problems. d. To provide for a continuing assessment of regional, district, and branch office legal activities. e. To establish pertinent statistical data on attorney workload. f. To provide Regional Administrators and Counsels the flexibility to set legal targets. <p>3. <u>REQUIRED REPORTS</u></p> <p>The Regional Counsel shall be kept advised by the District and Branch Counsel in writing (orally, if an emergency) and, in turn, the Regional Counsel shall immediately advise the General Counsel on an appropriate basis and as a part of the narrative quarterly report prescribed herein of certain activities:</p> <ul style="list-style-type: none"> a. Issues critical to the proper operation of district and regional legal operations including matters of critical significance to Agency management. 			
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b. All situations that have or could have extensive visibility and require legal action or recommendations by Regional Counsel and/or General Counsel.

c. Significant personnel matters concerning legal staff such as resignations, retirements, reassignments, appointments and disciplinary actions.

d. Specific issues of a novel nature which could affect the Agency nationally. These issues usually require a formal General Counsel opinion.

4. QUARTERLY REPORTING

The General Counsel shall be kept informed quarterly about the legal activities in the field in the following manner:

a. Before the first workday of each quarter (October 1, January 1, April 1, and July 1), the Branch Counsel must submit a narrative report through the Branch Manager to the District Counsel.

b. Before the fifth workday of each quarter, the District Counsel must submit a narrative report through the District Director to the Regional Counsel.

c. Before the tenth workday of each quarter the Regional Counsel must submit a narrative report through the Regional Administrator to the General Counsel. Submit a copy of any required appendix or attachment.

5. CONTENTS OF COUNSEL'S NARRATIVE REPORT

a. The Branch and District Counsel's narrative report shall contain a concise statement of items of major interest to include, but not limited to:

(1) Identification of legal and administrative problems or trends of a substantive or procedural nature (including analysis of problems or trends in the program area, e.g., unusual trends in workload, unique questions arising out of SBA programs

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<p>and how they are handled and recommendations for Agency improvement) and any steps taken to overcome such problems at the local level and any proposed solutions for problems which are being referred to at some higher level.</p> <p>(2) Problem cases of a unique or sensitive nature involving employees, clients, etc., including sensitive or unique litigation cases.</p> <p>(3) Achievements, promotions, awards received and training courses taken by anyone on the legal staff whether accomplished inside or outside the Agency.</p> <p>(4) Recommendations for Agency improvements or changes, e.g., policies, programs, procedures, SOP's, regulations, and legislation.</p> <p>(5) Recommendations for commendations for Agency attorneys or U.S. Attorneys.</p> <p>(6) Summary of Workload Activity Report in the format shown in Appendix 1. District Counsel is required to submit this report along with Branch Counsel's workload activity report to Regional Counsel prior to the fifth working day of each quarter.</p> <p>(7) A copy of the Branch Counsel's narrative report will be submitted with the District Counsel's narrative report.</p> <p>b. Regional Counsel's narrative for the Quarterly Report must contain the following information in the Quarterly Report:</p> <p>(1) A summary of information as required in paragraphs 5.a(1), (2), (4), and (6) above, plus personnel evaluations, and brief summaries of unique situations found in field office reviews, e.g., standards of conduct problems or deviations, backlog in closing activities, and relationships with program areas.</p>			
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<p>(2) A quarterly regional summary report of loan closing and litigation activity in the format shown in Appendix 1 should be attached to the narrative report.</p> <p>(3) Any information received in the narrative report from District Counsel and Branch Counsel under paragraph 5.1(3) above.</p> <p>(4) Recommendations for commendations for Agency attorneys or U.S. Attorneys in carrying out their legal activities.</p> <p>(5) The status of personnel actions in which Counsel is involved representing the Agency, e.g., grievances, adverse actions and EEO matters. If confidential material is involved, please note.</p> <p>(6) A brief summary of any meetings conducted by Regional Counsel for field counsel setting forth items which might be of interest to General Counsel.</p> <p>(7) Update information for Office of General Counsel personnel.</p> <p>(8) A brief summary of Regional Technical Reviews (RTR's) conducted and achievements in accomplishing corrective action plans.</p> <p>6. <u>LEGAL TARGETS</u></p> <p>The General Counsel need not be informed of established standard legal targets and goals. Regional Administrators and Regional Counsels may establish general or specific legal targets that will be reported to them under locally established procedures. Comments on achieving legal targets should be included in the RTR's.</p> <p>7. <u>ACTIONS IN RESPONSE TO REPORT</u></p> <p>a. District Counsel will take appropriate action on any item appearing in a branch report that properly falls within the scope of his or her responsibility. Such action should be included in the report to Regional Counsel.</p>			
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Appendix 1
(Paragraph 4)
FIELD COUNSEL WORKLOAD STATISTICAL REPORT

70 01 1

RCN 450

Region _____

Quarter ending _____

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*Indicate name of District with staffing (attorneys) & (clerical) i.e., Washington, D. C. (3) (2)

(1) Include dollar amount in narrative.

(2) Do not include unless handled by regular staff.

(3) Initial disbursement on GP's and full or subsequent final disbursement on directs including canceled or withdrawn.